IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.5191 OF 2006

Baban Ramchandra More, ... Petitioner
Vs
Yashoda Ramchandra Dabhade,
since deceased through her L.Rs .. Respondents

Mr Ajit J.Kenjale, for the petitioner.

CORAM : D.B.BHOSALE,J.
DATE : 19.09.2006

PC:

1. Heard the learned counsel for the petitioner.

2. This petition is directed against the order dated 12.7.2005 passed on the application filed by the petitioner dated 7.4.2005 seeking review of the order passed on the very same day i.e. 7.4.2005 on the application at Exhibit-35. By this application, the petitioner had prayed for forwarding the disputed documents to the handwriting expert for his opinion. The order dated 7.4.2005 passed on the application at Exhibit-35 has not been challenged in this petition. The order dated 7.4.2005 passed on Exhibit-25 reads thus:

> . "Matter is old more than 24 years. The present application (Exh.35) filed in the year 1988. Till today the application not pressed by the parties. Hence, filed."

3. It is thus clear, the suit was filed in 1981, Exhibit-35-application was filed in 1988 and it was filed as not pressed on 7.4.2005. Keeping all that in view and considering the overall facts and circumstances of the case, in my opinion, the court below has rightly rejected the application by the impugned order. I see no reason to exercise writ jurisdiction of this court under Article 227 of the Constitution of India.

4. With these observations, the writ petition is disposed of.

(D.B.BHOSALE,J.)